

REMARKS/ARGUMENTS

In the Office Action mailed April 7, 2010 (hereinafter, "Office Action"), claims 1, 18, 21, and 38 were objected to, and claims 1-6, 8-14, 17-26, 28-34, 37-46 and 49-51 stand rejected under 35 U.S.C. § 112. By this paper, claims 1, 6, 8, 17-18, 21, 26, 28, 37-38, 41-46 and 49- 50 are being amended. Claims 52-56 have been added.

Applicant respectfully responds to the Office Action.

Applicant thanks the Examiner for holding a telephonic interview regarding this matter on July 6, 2010. Applicant has made amendments to the claims in accordance with the interview.

I. Objection of Claims 1, 18, 21, and 38

Claims 1, 18, 21 and 38 are objected to because of informalities. These claims have been amended as suggested by the Examiner. Accordingly, Applicant respectfully requests that the objection to claims 1, 18, 21 and 38 be withdrawn.

II. Claims 1-6, 8-14, 17-26, 28-34, 37-46 and 49-51 Rejected Under 35 U.S.C. § 112, First Paragraph

Claims 1-6, 8-14, 17-26, 28-34, 37-46 and 49-51 stand rejected under 35 U.S.C. § 112, first paragraph as allegedly lacking an enabling disclosure. As best understood, the Office Action indicates that the subject matter "the plurality of video frames are not identified prior to receiving the video" of claims 1, 18, 21, 38 and 41 is not enabled in light of the subject matter "obtaining the first plurality of video frames by requesting the specific video frames from the server by sending from the client system separate play requests for the video frames." (Office Action, pages 2-3.) While Applicant believes that the subject matter of the claims at issue was clear prior to the amendments made herein, in accordance with the interview, Applicant has amended the claims to further clarify the subject matter at issue and to expedite prosecution.

Claim 1 has been amended to recite:

receiving a video as it is streamed from a server over a computer network;

....
obtaining the first plurality of video frames by requesting the specific video frames from the server by sending from the client system separate play requests for the video frames in accordance with a video streaming protocol, wherein a normal play time of each play request begins at T_i and ends at $T_i + d$, wherein T_i is a timestamp of an i^{th} video frame, and wherein d does not exceed one frame duration and **the first plurality of video frames, which are used to display corresponding thumbnail images for the first navigation video strip, are not identified prior to streaming the video from the server;**

(Emphasis added.) (Support for the subject matter added by amendment is provided, for example, at Figures 1 and 3-4 and at paragraphs [43]-[45], [48]-[49] and [63]-[69] of the pending application.)

In claim 1, “the video” refers to the video that is “streamed from a server over.” In contrast, “the first plurality of video frames . . . are used to display corresponding thumbnail images for the first navigation video strip.” Thus, the subject matter “the first plurality of video frames are not identified prior to streaming the video from the server” indicates that the first plurality of video streams for which “corresponding thumbnail images” are displayed are not identified (as being used for the thumbnails) “prior to streaming the video from the server.”

The specification of the pending application enables this subject matter. For example, the specification states:

Advantageously, in the exemplary method 300 just discussed, the instructions for displaying the navigation video strip 118 are generated dynamically as the video 114 is being streamed from the server 106 to the client 102. Thus, it is not necessary to store separate thumbnails or images from the video 114. In addition, the navigation video strip 118 may be generated automatically. Thus, there is no need for human indexing or pre-creation of the video strip 118.

Pending application, paragraph [65]. As the instructions for displaying the video navigation strip may be “generated dynamically as the video 114 is being streamed from the server 106 to the client 102,” the “first plurality of video frames, which are used to display corresponding thumbnail images for the first navigation video strip, are not identified prior to streaming the video from the server.”

In view of the foregoing, Applicant thus respectfully submits that the specification of the pending application enables the subject matter of claim 1.

Applicant further submits that claims 18, 21, 38, and 41, as amended, also comprise subject matter enabled by the disclosure of the pending application for at least the same reasons provided above in connection with claim 1. Claims 2-6, 8-14, 17, 19-20, 22-26, 28-34, 37, 39-40, 42-46 and 49-51 depend from either claim 1, 18, 21, 38 or 41. Accordingly, Applicant request that the rejection of claims 1-6, 8-14, 17-26, 28-34, 37-46 and 49-51 under 35 U.S.C. § 112, first paragraph be withdrawn.

III. New Claims

Claims 52-56 have been added. These claims comprise subject matter which has been removed from the independent claims, from which they now depend, into dependent claims 52-56, as discussed in the interview. These claims depend from claim 1, 18, 21, 38 and 41, respectively, and are thus allowable at least for the reasons provided above in connection with claims 1, 18, 21, 38 and 41.

Appl. No. 10/675,028
Amdt. dated July 7, 2010
Reply to Office Action of April 7, 2010

IV. Conclusion

Applicant respectfully asserts that all pending claims are allowable over the cited references, and requests that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,

/Wesley L. Austin/

Wesley L. Austin
Reg. No. 42,273
Attorney for Applicant

Date: July 7, 2010

AUSTIN RAPP & HARDMAN
170 South Main Street, Suite 735
Salt Lake City, Utah 84101
Telephone: (801) 537-1700